

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**Case No. 23-CR-391-JFH**

**EDWARD LEON PULLEY,**

**Defendant.**

**OPINION AND ORDER**

Before the Court is a motion to dismiss indictment [Dkt. No. 5] without prejudice filed by the United States of America (“Government”). Dkt. No. 5.

Under Federal Rule of Criminal Procedure 48(a), “courts must grant prosecutors leave to dismiss charges unless dismissal is clearly contrary to manifest public interest.” *United States v. Robertson*, 45 F.3d 1423, 1437 n.14 (10th Cir. 1995) (quoting *Rinaldi v. United States*, 434 U.S. 22, 30 (1977)). Based on the facts set out in the motion, the Court concludes that dismissal of the charges against Defendant is not contrary to the public interest, nor is it for an improper purpose. Accordingly, the Government’s motion to dismiss should be granted.

IT IS THEREFORE ORDERED that the Government’s motion to dismiss [Dkt. No. 5] is GRANTED and the indictment [Dkt. No. 2] is dismissed without prejudice against Defendant Edward Leon Pulley.

Dated this 26th day of February 2024.

  
\_\_\_\_\_  
JOHN F. HEIL, III  
UNITED STATES DISTRICT JUDGE